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Mr. Lester Snow
Executive Director
CALFED Bay-Delta Program
1416 9th Street, Suite 1155
Sacramento, CA 95814

**Re: Comments on Revised Draft Programmatic Environmental Impact
Statement/Report for the CALFED Bay-Delta Program**

Dear Mr. Snow:

We submit the following comments on the above-referenced Draft EIS/R. [These comments are in addition to the comments of William A. Taube on behalf of this District made at the Visalia hearing held on September 14, 1999.] Additionally, we have reviewed, endorse, and incorporate herein by reference the more comprehensive and technical comments submitted by the Ag/Urban Group, the Kern County Water Agency and the Association of California Water Agencies. The comments which follow are only a summary and the more specific and technical comments we have referenced which can be referred to for further detail as needed.

A. ECOSYSTEM QUALITY:

1. In analyzing the proposed Environmental Water Account (EWA), CALFED improperly assumes a baseline for EWA providing additional environmental benefits to that already provided by the Bay-Delta Accord, plus CVPIA, plus existing ESA Biological Opinions. This is entirely inappropriate and inconsistent with the Accord which was recognized as an interim measure until a long-term CALFED solution was prepared.
2. The EWA must assume full risk for its actions and water use for environmental purposes must be accounted for the same as for agricultural or urban purposes.
3. The proposition of a Delta system diversion fee is entirely inappropriate to the extent that water users achieve no benefits from CALFED programs. Additionally, no mention is made of the Federal government paying a fee for environmental water diverted under existing regulations, such as the ESA. The diversion fees or other user based financing can only be considered to the extent it is linked to tangible benefits received from the Program in terms of an enhanced water supply.
4. Funding for broad-based public benefits must also include costs incurred by the SWP and CVP for reoperating those projects.

5. The draft EIS/R suggest that Ecosystem restoration programs could require up to 700,000 acre-feet of water over the baseline, which would have a significant impact on agricultural resources, which is not adequately evaluated, not to mention in violation of guiding principles under which CALFED was formed.

B. WATER SUPPLY RELIABILITY:

1. The potential benefits of Water Use Efficiency (WUE) are grossly overestimated.
2. WUE will not reduce demand for Delta exports.
3. The stated prerequisite for demonstrated WUE to any new storage is inappropriate.
4. There is ample information for a programmatic finding that additional storage is needed.
5. Export water quality and diversion effects on fishery can be enhanced by a dual delivery system, which is not adequately considered.
6. The suggested limitation on transfers absent WUE measures would interfere with water marketing and inappropriately assumes that water transfers are a new source of water.

C. COMPREHENSIVE MONITORING, ASSESSMENT AND RESEARCH PROGRAM ("CMARP"):

1. The draft EIS/R fails to provide any details on institutional structure for CMARP and how it would be funded.
2. It is totally inappropriate and counterproductive for agricultural research based simply on reducing water requirements - the crop mix in California is entirely market driven.

D. GENERAL:

1. The draft EIS/R assumes that any increase in water supply will be growth inducing. This is clearly an error as growth has occurred in California and will continue to occur while its water supplies have been decreasing, not increasing. The State's water supply must be increased and keep up with growth, unless CALFED intends to control immigration or birth rates.
2. The draft EIS/R is a great disappointment to all of us who "went out on a limb" to support the Accord and the formation of CALFED in an effort to "get better together." The draft EIS/R must be fundamentally rewritten and redirected if there is any opportunity for this process to succeed.

Thank you for consideration of our views.

Very truly yours,



William A. Taube
Engineer-Manager

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